

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Massachusetts

Plainville Generating Co., LLC

V.

DTE Biomass Energy, Inc. and
Plainville Gas Producers, Inc.

05 11210 GAO

CASE

TO: (Name and address of Defendant)

DTE Biomass Energy, Inc.
425 South Main Street
Ann Arbor, MI 48104

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Steven Ferrey
Christopher L. DeMayo
LeBoeuf, Lamb, Greene & MacRae LLP
260 Franklin Street
Boston, MA 02110

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



JUN - 9 2005

CLERK SARAH A. THORNTON

(By) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE June 10, 2005 Friday 11:59am	
NAME OF SERVER (PRINT) Dalton Walker, Jr.	TITLE Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<p>G Served personally upon the third-party defendant. Place where served: <u>DTE Biomass Energy, Inc.</u> <u>425 South Main Street Ann Arbor, Michigan 48104-2393</u></p> <p>Accepted by: <u>David Joest - Assistant General Council</u></p> <p>G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p>Name of person with whom the summons and complaint were left: <u>N/A</u></p> <p>G Returned unexecuted: <u>N/A</u> <u>N/A</u> <u>N/A</u></p> <p>G Other (specify): <u>N/A</u> <u>N/A</u> <u>N/A</u></p>		
STATEMENT OF SERVICE FEES		
TRAVEL -0-	SERVICES \$115.00	TOTAL \$115.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>6-13-05</u> Date <u><i>W. Walker</i></u> Signature of Server</p> <p style="text-align: center;"><u>19531 Lyndon Detroit, Michigan 48223</u> Address of Server</p> <div style="text-align: right; margin-top: 50px;"> <p><i>Kelly Roberts</i> 6/13/05</p> <p>KELLY ROBERTS NOTARY PUBLIC WAYNE CO., MI MY COMMISSION EXPIRES Oct 28, 2006</p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.